

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 WESTERN DISTRICT OF MISSOURI
3
4 RACHEL AUMICK, Individually)
5 and on behalf of the Heirs)
6 at Law of SHANE AUMICK,)
7 Deceased,)
8 Plaintiff,)
9 VS.) Case No. 6:21-cv-03072-BP
10)
11 DOUGLAS COUNTY, MISSOURI,)
12 et al.,)
13)
14 Defendants.)
15
16 VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF STEVE IJAMES
17 TAKEN ON BEHALF OF THE PLAINTIFF
18 IN OKLAHOMA CITY, OKLAHOMA
19 ON JULY 20, 2022
20
21 REPORTED BY: DAVID BUCK, CSR
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1 A. I don't recall anything from Mr. Mills'
2 deposition that formulated an opinion or that I
3 specifically referenced.

4 **Q. Okay. Sir, I have pulled up here the first**
5 **page of your expert report and opinions, Page 2.**
6 **Initially you provide an incident overview and if we**
7 **turn to the second page it looks like you then start**
8 **adding excerpts of deposition of Officer Berkshire.**
9 **Is that correct?**

10 A. Yes, ma'am.

11 **Q. Okay. Would you agree with me that Officer**
12 **Berkshire's report is not consistent with the body**
13 **camera footage available or the eyewitness account of**
14 **Meri Aumick?**

15 A. I would have to ask you to give me some
16 specific examples. I do recall and I think I
17 reference some conflict in testimony between him and
18 Meri, but if you had a specific question I could -- I
19 could say yes or no, but I can't tell you from memory
20 each area that I may or may not have thought was not
21 perfectly mirrored by the video and/or what the
22 decedent's mother said.

23 **Q. Okay. And what I am referencing is this**
24 **narrative area of his report where he references that**
25 **the suspect descended down the stairs from the porch**

1 **when he placed his light on him and he pulled a weapon**
2 **on him.**

3 **Do you recall reviewing that in the body**
4 **camera footage?**

5 A. No, ma'am. I think, as I recall, his
6 narrative report indicates he didn't have the body
7 camera turned on when he thought he did, but I think I
8 did reference in my opinion that conflict between what
9 he said occurred and what the deceased's mother said
10 occurred.

11 **Q. Okay. Will you also agree that there is no**
12 **body camera footage of this narrative and conflicting**
13 **testimony between Officer Berkshire and Ms. Aumick at**
14 **the scene with regard to the pulling of the weapon and**
15 **this knife altercation?**

16 A. Yeah, if you're asking if I saw body camera
17 footage in reference to that conversation, et cetera,
18 the answer is no.

19 **Q. Okay. As a police commander and in your**
20 **experience, sir, would that make you question the**
21 **veracity of Officer Berkshire's report?**

22 A. If we assume that his testimony is true about
23 he thought the video was on and it wasn't, then that
24 would be one explanation for why it might not be on
25 the video, that he hadn't pushed the button, but

1 certainly when you have conflicting statements between
2 as in this case the deceased's mother and the officer,
3 any outright conflicting statement always causes
4 question as concerning what actually happened.

5 Q. And you had the opportunity to review the
6 deposition testimony of Ava Officer Dewyane
7 Butterworth. Correct?

8 A. Correct.

9 Q. And would you agree with me that Officer
10 Butterworth had concerns because this alleged knife
11 altercation was not on the body camera footage, which
12 would be in violation of the Ava police policies?

13 A. Correct, he should have turned by policy the
14 video on the moment he stepped out of the car,
15 correct.

16 Q. And would you agree with me that that is
17 important because the body camera footage is there to
18 make sure no one says the police have said or done
19 something that they haven't and to document what
20 actually did happen?

21 A. Sure. I mean, there's reasons why we use body
22 cameras and the two examples you gave would be
23 included, correct.

24 Q. Okay. The next page of your report shows a
25 still frame on Page 4 of Plaintiff's decedent Shane